

Austin & Rogers, P.A.

ATTORNEYS AND COUNSELORS AT LAW

WILLIAM FREDERICK AUSTIN
(1930-2016)

TIMOTHY F. ROGERS
RAYMON E. LARK, JR.
RICHARD L. WHITT
EDWARD L. EUBANKS
W. MICHAEL DUNCAN*

COLUMBIA OFFICE
CONGAREE BUILDING
508 HAMPTON STREET, SUITE 300
POST OFFICE BOX 11716 (29211)
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 256-4000
FACSIMILE: (803) 252-3679
WWW.AUSTINROGERSPA.COM

OF COUNSEL:
JEFFERSON D. GRIFFITH, III

* ALSO ADMITTED IN N.C.

January 8, 2018

VIA, ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

Re: • Docket 2017-332-E
 • **Support for the Interstate Renewable Energy Council, Inc.'s Petition to Intervene.**

Dear Ms. Boyd:

Enclosed for filing, in the above-referenced matter, please find Docket Cover Sheet, Support for the Interstate Renewable Energy Council, Inc.'s Petition to Intervene and Certificate of Service. Please notify the undersigned if you there is anything else you may need.

Respectfully Submitted,

/s/ _____
Richard L. Whitt

RLW/cas

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-332-E**

IN RE:)	
Southern Current LLC; Cypress Creek)	
Renewables, LLC; and Birdseye Renewable)	
Energy, LLC,)	
)	
Complainants/Petitioners,)	
)	SUPPORT FOR THE INTERSTATE
v.)	RENEWABLE ENERGY
)	COUNCIL, INC.'S PETITION TO
Duke Energy Carolinas, LLC and)	INTERVENE
Duke Energy Progress, LLC,)	
)	
Defendants/Respondents.)	
)	

INTRODUCTION

This matter is currently pending before this Commission, but this Docket has been held in abeyance by Standing Hearing Officer Directive No. 2017-87-H. The previous Docket deadlines have been withdrawn and Complainants/Petitioners have been given the right to amend Complainants/Petitioners' Complaint and to add a party(s) by January 16, 2018. Accordingly, the Defendants/Respondents have not answered the Complaint and this Docket is essentially in a procedural posture, as if just filed. Therefore, no party will be prejudiced by this Commission granting the Interstate Renewable Energy Council, Inc.'s ("IREC") Petition to Intervene.

SUPPORT FOR IREC'S PETITION TO INTERVENE

Docket 2015-362-E.

1. IREC was granted Intervenor status by this Commission in Docket 2015-362-E, and participated therein, in a Docket that helped develop the very guidelines that Defendants/Respondents seek to modify.

IREC Offers Different Knowledge/Experience/Perspective.

2. IREC's previous participation before this Commission and participation in over 40 States Nationwide, allows IREC to bring different knowledge, experience and perspective to this matter. IREC's contribution is consistent with prong "3" of the Sagebrush factors approved by the South Carolina Supreme Court in Berkeley Electric Coop., Inv. v. Town of Mt. Pleasant, 394 SE 2d 712 (1990).

Order No., 2005-725 in Docket 2005-270-G.

3. IREC's Petition to Intervene is consistent with this Commission's prior holding that intervention is, "...consistent with the policies of the Commission in encouraging maximum public participation in issues before the Commission, and should be allowed so that a full and complete record addressing [Intervenor's] views and concerns be developed."

Defendants/Respondents' Opposition.

4. Defendants/Respondents oppose IREC's Petition to Intervene, claiming that IREC does not have standing or a personal stake or interest in the proceeding. Defendants/Respondents ignore the fact that Docket 2017-332-E, pertains to a general guidelines change that would affect all Duke Energy Carolinas, LLC's ("DEC") and Duke Energy Progress, LLC's ("DEP") projects within the State of South Carolina. Defendants/Respondents claim of a lack of interest in a particular project, is inapposite, because the guidelines complained about pertain to every DEC and DEP project in the State of South Carolina.

CONCLUSION

Based on (i) IREC's participation in Docket 2015-362-E (ii) IREC's knowledge, experience and perspective (iii) Order No. 2005-725 and (iv) the general application of the proposed guidelines, to every DEC and DEP project in the State of South Carolina, this Commission should allow IREC's intervention in this Docket with full rights of participation and for such other and further relief as this Commission deems just and appropriate.

[Signature Page Follows]

This 8th day of January, 2018.

Respectfully Submitted,

/s/

Richard L. Whitt,
RLWhitt@AustinRogersPA.com
AUSTIN & ROGERS, P.A.,
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for the Complainants/Petitioners.

January 8, 2018
Columbia, South Carolina

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-332-E**

IN RE:

Southern Current LLC; Cypress Creek
Renewables, LLC; and Birdseye Renewable
Energy, LLC,

Complainants/ Petitioners,

v.

Duke Energy Carolinas, LLC and
Duke Energy Progress, LLC,

Defendants/Respondents.

CERTIFICATE OF SERVICE

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have served the Support for the Interstate Renewable Energy Council, Inc.'s Petition to Intervene and this Certificate of Service, via electronic mail on January 8, 2018, as indicated below.

Heather Shirley Smith

Email: heather.smith@duke-energy.com

Jenny R. Pittman

Email: jpittman@regstaff.sc.gov

Rebecca J. Dulin

Email: Rebecca.Dulin@duke-energy.com

Frank R. Ellerbe, III

Email: fellerbe@sowellgray.com

/s/

Carrie A. Schurg

January 8, 2018
Columbia, South Carolina